IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 36830 of 2007(H)

(AGAINST E.P.819/06 IN O.S.2319/04 OF MUNSIFF COURT, KODUNGALLUR.)

PETITIONER:

PAVITHRA, W/O.RADHAKRISHNAN,
PATHAZHAKKATTIL HOUSE, EDAVILANGU VILLAGE,
KODUNGALLUR TALUK.

BY ADV. SRI.A.C.DEVY

RESPONDENT:

THE PENINSULA CHITS PRIVATE LTD.,
IRINJALAKUDA VILLAGE, MUKUNDAPURAM TALUK,
REPRESENTED BY ITS MANAGING DIRECTOR, A.D.FRANCIS,
S/O.AZHACHANGATTIL DEVASSY, KARUVANNUR DESOM,
PORATHUSSERY VILLAGE, MUKUNDAPURAM.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/12/2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.C. NO. 36830 OF 2007

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Dated this the 12th day of December, 2007.

J U D G M E N T

This writ petition is filed by the wife of the judgment debtor in E.P.819/06 in O.S.2319/04 of Munsiff Court, Kodungalloor. Husband of the writ petitioner namely the 2nd judgment debtor was arrested and committed to civil prison for a period of one month. The appropriate remedy for the party, i.e., namely the 2nd judgment debtor has to file a civil revision before this Court and a writ petition filed by the wife for release of the husband cannot be entertained under Article 227 of the Constitution of India. Therefore the writ petition lacks merit and it is dismissed.

M.N. KRISHNAN, JUDGE.

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